

House File 2420

H-8132

1 Amend House File 2420 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 20.3, subsection 1, Code 2009,
4 is amended to read as follows:

5 1. "Arbitration" means the procedure whereby the
6 parties involved in an impasse submit their differences
7 to a third party for a ~~final and binding~~ decision or as
8 provided in this chapter.>

9 2. Page 2, after line 13 by inserting:

10 <Sec. _____. Section 20.17, subsection 10, Code 2009,
11 is amended to read as follows:

12 10. The negotiation of a proposed collective
13 bargaining agreement by representatives of a state
14 public employer and a state employee organization shall
15 be complete not later than March 15 of the year when
16 the agreement is to become effective. The board shall
17 provide, by rule, a date on which any impasse item
18 must be submitted to ~~binding~~ arbitration and for such
19 other procedures as deemed necessary to provide for the
20 completion of negotiations of proposed state collective
21 bargaining agreements not later than March 15. The
22 date selected for the mandatory submission of impasse
23 items to ~~binding~~ arbitration shall be sufficiently in
24 advance of March 15 to insure that the arbitrators'
25 decision can be reasonably made before March 15.

26 Sec. _____. Section 20.22, subsection 1, Code 2009,
27 is amended to read as follows:

28 1. If an impasse persists after the findings
29 of fact and recommendations are made public by the
30 fact-finder, the parties may continue to negotiate
31 or, the board shall have the power, upon request of
32 either party, to arrange for arbitration, ~~which shall~~
33 ~~be binding~~. The request for arbitration shall be in
34 writing and a copy of the request shall be served upon
35 the other party.

36 Sec. _____. Section 20.22, subsection 12, Code 2009,
37 is amended to read as follows:

38 12. The selections by the panel of arbitrators
39 and items agreed upon by the public employer and
40 the employee organization, shall be deemed to be the
41 collective bargaining agreement between the parties
42 subject to the provisions of section 20.22A.

43 Sec. _____. Section 20.22, subsection 13, Code 2009,
44 is amended to read as follows:

45 13. The determination of the panel of arbitrators
46 shall be by majority vote and shall be final and
47 binding subject to the provisions of section 20.17,
48 subsection 6, and section 20.22A. The panel of
49 arbitrators shall give written explanation for its
50 selection and inform the parties of its decision.

1 Sec. ____ . NEW SECTION. **20.22A State employee**
2 **negotiations.**

3 1. The items of a collective bargaining agreement
4 reached pursuant to this chapter between a public
5 employer and an employee organization representing
6 state employees which require economic adjustments
7 shall not take effect and the agreement is not final
8 and binding until moneys have been appropriated to
9 fund the economic adjustments by the general assembly,
10 specifically to fund the economic adjustments of the
11 collective bargaining agreement at issue. Items of a
12 collective bargaining agreement concerning an employee
13 organization representing state employees that are not
14 economic adjustments are not subject to approval by the
15 general assembly and are final and binding upon their
16 determination subject to the provisions of section
17 20.17, subsection 6.

18 2. Within ten days following the determination of
19 a collective bargaining agreement on all negotiated
20 items by agreement of the parties or by an arbitration
21 decision, the governor, or the governor's designee,
22 shall inform the general assembly the amount of
23 the appropriation necessary to fund the economic
24 adjustments requires to fund the collective bargaining
25 agreement.

26 3. The general assembly shall appropriate funds in
27 any amount up to and including the amount indicated
28 by the governor, or the governor's designee, under
29 subsection 2. If less than the entire amount indicated
30 by the governor, or the governor's designee, is
31 appropriated by the general assembly, the collective
32 bargaining agreement shall be administered on the basis
33 of the amounts appropriated by and any directions of
34 the general assembly.

35 4. The general assembly shall make an appropriation
36 as provided by this section prior to the date the
37 collective bargaining agreement is to become effective.

38 5. The items of a collective bargaining agreement
39 that require economic adjustments subject to the
40 provisions of this section shall become final and
41 binding upon an appropriation of funds by the general
42 assembly, subject to the provisions of section 20.17,
43 subsection 6.>

44 3. By renumbering as necessary.

WATTS of Dallas